(*b*) persons, however designated, employed on, or in connection with, the maintenance or service of any municipal water-work, drain, pumping station or fire hydrant, including—

(1) inspectors,
(2) sub-inspectors,
(3) foremen,
(4) mechanics,
(5) drivers,
(6) watchmen,
(7) labourers,
(8) workmen;

(*c*) lamp-lighters.

BOMBAY ACT No. I OF 1891.

(*The assent of the Governor General to this Act was first published by the Governor of Bombay on the 19th November, 1891.*)

Bom. III of 1886.

An Act to amend the Bombay General Clauses Act, 1886.

[NOTE.—S. 1 of this Act is repealed, and part of s. 2 superseded, by Act XVI of 1895. The amendments made by the rest of s. 2 are incorporated in Bom. Act III of 1886 as printed on pp. 91 *et. seq. supra*.]

THE BOMBAY BOILER INSPECTION ACT, 1891.

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BOMBAY ACT No. II OF 1891.

(*The assent of the Governor General of India to this Act was first published by the Governor of Bombay on the 18th January, 1892.*)

An Act to amend the Law for the periodical inspection and the management by competent Engineers of Boilers and Prime-movers in the Presidency of Bombay.

Preamble.

WHEREAS it is expedient to amend the law for the inspection and management of steam-boilers and of prime-movers; It is enacted as follows:—

Preliminary.

Short title.

1. (*1*) This Act may be cited as the Bombay Boiler Inspection Act, 1891.

Commencement and extent.

(*2*) It shall come into force at once in the City of Bombay and in the district and places in which the Bombay Boiler Inspection Act, 1887 [a], is at present in force. And the Governor in Council may from time to time, by notification in the Bombay Government Gazette,—

Bom. III of 1887.

(*a*) extend it to any other district or place in the presidency of Bombay;

(*b*) withdraw it from operation in any district or place other than the City of Bombay to which it extends or has been by him extended.

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[a] Bom. Act III of 1887 is repealed by s. 2 of this Act.

THE BOMBAY DISTRICT VACCINATION ACT, 1892.

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BOMBAY ACT No. I OF 1892.

(The assent of the Governor General of India to this Act was first published by the Governor of Bombay on the 11th August, 1892.)

An Act to prohibit the practice of inoculation and to make the Vaccination of Children in certain portions of the Bombay Presidency compulsory.

WHEREAS it is expedient to prohibit the practice of inoculation and to make compulsory the vaccination of children in certain portions of the presidency of Bombay, and to remove doubts as to the legality of compulsory

(*Sch. A.—Form of Inspector's Certificate. Sch. B.—Maximum Rates of Fees leviable for Inspections of Boilers under sections 8 and 17.*)

SCHEDULE A.

(*See section 10.*)

FORM OF INSPECTOR'S CERTIFICATE.

Name of owner.	Registry number and description of boiler and age.	Power.	When and where made.	When and where last repaired.	Time for which this certificate is to be in force.	Maximum pressure at which the boiler may be worked.	Remarks.

I, the undersigned, certify that I have examined the above-named boiler, and to the best of my judgment the boiler, as shown in the above statement, and all its necessary appurtenances, are in good condition and the registry number is properly marked thereon.

A. B., Inspector.

SCHEDULE B.

(*See section 35.*)

MAXIMUM RATES OF FEES LEVIABLE FOR INSPECTIONS OF BOILERS UNDER SECTIONS 8 AND 17.

		Rs.
(1)	For the inspection of each boiler not exceeding 10 horse-power nominal	15
(2)	Ditto ditto exceeding 10 but not exceeding 20 ditto . .	20
(3)	Ditto ditto exceeding 20 but not exceeding 30 ditto . .	30
(4)	Ditto ditto exceeding 30 but not exceeding 50 ditto . .	40
(5)	Ditto ditto exceeding 50 ditto	50

SECTIONS.

29. for using boiler without certificate;
for working boiler without having a competent engineer in charge, or at a higher pressure than allowed by certificate;
30. for tampering with registry number of a boiler;
for fraudulently marking a registry number on a boiler;
31. for refusing or omitting to deposit his certificate in accordance with section 24 (2).
32. Cognizance of offences against this Act.
33. Charges within what period to be brought.
34. When penalties are to be enforced under section 30.

Miscellaneous.

35. Rules to be framed.
36. Disposal of fees, etc.
37. Certain provisions of this Act may be applied to prime-movers.

SCHEDULE A.—FORM OF INSPECTOR'S CERTIFICATE.

SCHEDULE B.—MAXIMUM RATES OF FEES LEVIABLE FOR INSPECTIONS OF BOILERS UNDER SECTIONS 8 AND 17.

BOMBAY ACT No. II OF 1891.

(*The assent of the Governor General of India to this Act was first published by the Governor of Bombay on the 18th January, 1892.*)

An Act to amend the Law for the periodical inspection and the management by competent Engineers of Boilers and Prime-movers in the Presidency of Bombay.

Preamble.

WHEREAS it is expedient to amend the law for the inspection and management of steam-boilers and of prime-movers; It is enacted as follows:—

Preliminary.

Short title.

1. (*1*) This Act may be cited as the Bombay Boiler Inspection Act, 1891.

Commencement and extent.

(*2*) It shall come into force at once in the City of Bombay and in the district and places in which the Bombay Boiler Inspection Act, 1887 [a], is at present in force. And the Governor in Council may from time to time, by notification in the Bombay Government Gazette,—

Bom. III of 1887.

(*a*) extend it to any other district or place in the presidency of Bombay;

(*b*) withdraw it from operation in any district or place other than the City of Bombay to which it extends or has been by him extended.

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[a] Bom. Act III of 1887 is repealed by s. 2 of this Act.

Limitation of application of Act.

(*3*) But nothing in this Act shall be deemed to apply to any boiler or prime-mover in any steam-vessel, or to any locomotive engine, boiler or prime-mover used upon or appertaining to any railway within the meaning of that word as defined in section 3, clause (*4*), of the Indian Railways Act, 1890, or to any boiler or prime-mover used exclusively for domestic purposes at atmospheric pressure. IX of 1890.

Repeal of Bombay Act III of 1887.

2. (*1*) The Bombay Boiler Inspection Act, 1887, is hereby repealed: Bom. III of 1887.

Proviso.

(*2*) Provided that nothing in this Act shall affect the validity, according to its tenor, of any certificate granted under the said Bombay Boiler Inspection Act, 1887, or under the Boiler Inspection Act, 1873[a]. Every such certificate shall, for all the purposes of this Act, be deemed to have been granted, and to be in force, under the corresponding provisions of this Act. Bom. V of 1873.

Interpretation-clause.

3. In this Act, unless there be something repugnant in the subject or context,—

(*a*) "boiler" includes any cylinder or vessel for generating steam or wherein steam is generated under pressure and any steam chest or other apparatus closely attached thereto;

(*b*) "prime-mover" includes any steam-engine, steam-hammer, fly-wheel, first driving-shaft or pulley attached to any such engine, and every appurtenance necessary for the safe and efficient working of a prime-mover;

(*c*) "owner" includes any agent or hirer using any boiler.

Inspection of Boilers.

Appointment of inspectors.

4. (*1*) Government may from time to time appoint one or more inspectors for the purposes of this Act, who shall be removeable at the pleasure of Government.

Local extent of their duties.

(*2*) The local extent of each such inspector's duties and the mutual relations of inspectors shall be fixed from time to time by Government.

Their subordination to the Collectors.

(*3*). Subject to such rules as may from time to time be framed by Government under section 35, the inspectors shall be under the control of the Collector of the place or district in which the boilers to be inspected by such inspectors are respectively situated.

Appointment of commissions.

5. Government shall, as occasion may require, appoint commissions, either generally or specially, for hearing appeals preferred by owners under

[a] Bom. Act V of 1873 was repealed by Bom. Act III of 1887.

section 11 and for determining questions submitted to them under section 14. Such commissions shall consist of such person or persons as the Government shall deem fit to nominate, and their appointment shall endure for such term as shall be prescribed by Government.

Owner not to use a boiler without a certificate.

6. (*1*) It shall not be lawful for the owner of any boiler—

(*a*) to use the same, or to permit the same to be used, unless a certificate shall have been duly granted in respect thereof in the manner hereinafter provided; or

(*b*) to continue to use the same, or to permit the use thereof to be continued, after the period for which any such certificate shall have been granted has expired; or

(*c*) to work the same or to permit the same to be worked, at a higher pressure than that allowed by such certificate; or

(*d*) to work the same or permit the same to be worked at any time, except whilst he has in his employ, as engineer in direct and immediate management and charge thereof, a person who is a fit and proper person to manage and be in charge of the same:

(*2*) Provided that—

(*e*) the owner of a boiler who holds in respect thereof a certificate as aforesaid, and who before the expiry of the period of such certificate gives notice under the next following section of his intention to continue to use the same after the expiry of the said period, may, subject to the provisions of clauses (*c*) and (*d*) of sub-section (*1*), continue to use the same or to permit the use thereof until it is examined in pursuance of such notice;

(*f*) a person employed to manage and be in charge of not more than two sets of boilers, which boilers all belong to the same owner and are so situated that no one of them is more than a thousand feet apart from any other of them, may notwithstanding their distance from each other be deemed to be employed in direct and immediate management and charge of all such boilers.

Owner who desires to use a boiler to register the same.

7. (*1*) The owner of any boiler who desires to use the same shall, if it is unregistered, cause it to be registered.

On notice from owner, inspector to register boiler.

(*2*) The owner of a boiler may give notice in writing to the inspector that he desires to have the same registered, whereupon the inspector shall register such boiler and shall allot to it a number corresponding to the number of the entry concerning it in the register of boilers. Such number shall be called

the registry number of the boiler. It shall be communicated to the owner, and shall, within such reasonable period as the inspector may direct, be permanently marked upon the boiler by the owner thereof so as to be plainly visible, and in such manner as Government may from time to time prescribe.

When Government inspector has been appointed, owner to give notice to him before using boiler.

8. (*1*) If the owner of a boiler does not hold in respect thereof a certificate which is at the time in force, he, having caused the boiler to be registered or having given a notice under sub-section (*2*) of section 7 in relation thereto, shall before using or continuing to use the said boiler give notice if it be situate in a city or town for which expressly an inspector has been appointed by Government to such inspector of his intention to use or to continue to use the said boiler and of his desire to obtain a certificate.

Inspector to appoint a time for examination.

(*2*) The inspector to whom such notice is given shall appoint a time between sunrise and sunset and within four days after the receipt of such notice, for the examination of such boiler, and at such time shall carefully examine such boiler and every appurtenance closely attached thereto.

Where inspector has not been appointed, owner to give notice to Collector.

(*3*) If such boiler be not situate in a city or town for which expressly an inspector has been appointed by Government, the owner shall, before using or continuing the use of the same, give notice to the Collector of the district in which it is situate of his intention to use or to continue to use the same, and the Collector shall cause an examination as aforesaid to be made by an inspector with the least possible delay and within twenty days after the receipt of such notice, and shall inform the owner of the date on which the said examination will take place.

Fees to be paid.

(*4*) Every person giving a notice under this section shall simultaneously pay the fees prescribed for the examination by a rule made under section 35.

Special provision regarding boilers procured in Bombay and Karáchi.

(*5*) If a boiler be procured in, or be imported into, the city of Bombay or Karáchi for use in any place beyond the said cities in which this Act is at the time in force, the owner of such boiler may, at his option, cause the same to be registered, numbered and examined for a certificate under the foregoing provisions of this section before it is removed from either of the said cities. Such certificate shall operate for a period of six months only from the date thereof.

Necessary information to be furnished by owner, and

9. (*1*) The owner or person in charge of any boiler so to be examined shall—

(*a*) afford to the inspector all reasonable facilities for such examination, and all such information as may reasonably be required by him;

necessary dispositions made for facilitating examination.

(*b*) previously arrange that—

(*i*) the boiler shall be empty and cool, and shall be cleaned inside and outside;

(*ii*) fire-flues shall be swept;

(*iii*) fire-bars and fire-bridges shall be removed;

(*iv*) blow-off and other cocks shall be cleared for the purpose of examination;

(*c*) if required by the inspector, cause any brick-work or masonry in contact with the boiler to be removed;

(*d*) during the examination, keep the boiler effectively disconnected from any steam or hot water communication with any other boiler.

(2) The provision as to disconnection contained in clause (*d*) shall extend to every case wherein a person is sent, or with the owner's assent goes, into a boiler for any purpose connected therewith.

Inspector to grant a certificate.

10. (1) If the inspector is satisfied that the boiler and the appurtenances closely attached thereto are in good condition, and if the registry number of the boiler is properly marked thereon in accordance with sub-section (2) of section 7, the inspector shall give to the owner a certificate to that effect.

Renewal of certificates.

(2) Every certificate so granted shall be renewed by the inspector from time to time, if he is satisfied, after re-examining the boiler and the appurtenances closely attached thereto under the provisions of section 8, that the same are in good condition and that the registry number of the boiler is properly marked thereon as aforesaid.

Form of certificates and periods for which they are to be granted.

(3) Every original or renewed certificate granted under this section shall be in the form of, and contain the particulars specified in, Schedule A. Except as is otherwise provided in sub-section (5) of section 8, every such certificate shall be granted for such period not exceeding twelve months as the owner of the boiler shall desire, unless it shall appear to the inspector improbable that the boiler and the appurtenances closely attached thereto will remain in good condition for so long a period, in which case the certificate shall be granted for such shorter period as the inspector in his discretion deems fit.

Appeal to lie from refusal by an inspector to give certificate.

11. If an inspector refuse to give a certificate or a renewed certificate to the owner of any boiler, or refuse to give the same for the full period applied for, he shall be bound to give to such owner, within forty-eight hours, his reasons for such refusal, in writing, and any owner deeming himself aggrieved by the decision of the inspector may, within one month from the date of the said refusal, lodge with the Collector of the place or district in which the

boiler is situate an appeal to be heard by a commission appointed under section 5.

Determination of the appeal.

12. (*1*) The owner's petition of appeal shall be forthwith forwarded by the Collector to the commission, and the said commission shall, within four days after the date of the receipt of the same, if the boiler be situated in the city of Bombay, and within ten days after the date of its receipt, if the boiler be situated elsewhere, inquire into and determine such appeal.

(*2*) The commission may either reject the appeal or grant the owner a certificate for such period not exceeding twelve months as it thinks fit.

(*3*) The inquiry shall be held in public, and the decision of the commission shall be final.

When commission may award costs.

13. (*1*) If the commission is of opinion that the appeal is unfounded or frivolous, it may award any sum not exceeding one hundred and fifty rupees, to be paid by the owner as costs.

Recovery of costs.

(*2*) Any sum so awarded by the commission shall be recoverable by the Collector from the owner, as an arrear of land-revenue.

Revocation of certificates.

14. (*1*) Any commission appointed under section 5 may, after such inquiry as shall seem just, revoke any certificate granted under section 10 or 12—

(*a*) if any fee, lawfully due under this Act, shall not be paid after the same has been duly demanded, or

(*b*) if there shall be reason to believe that such certificate has been fraudulently obtained or erroneously granted, or has been granted without sufficient examination, or

(*c*) if there shall be reason to believe that, since the granting of such certificate, the boiler in respect whereof it was granted has sustained injury or has ceased to be in good condition.

Fresh certificate may be granted after revocation of the first.

(*2*) After such revocation, the boiler in respect whereof the certificate has been revoked shall not again be used until a further examination shall have been made and a certificate granted by the inspector with the countersignature of the said commission, or, if the commission consists of more than two persons, of a majority thereof or of their successors in office.

Inspector may at any time examine a boiler for which certificate has been granted.

15. (*1*) It shall be lawful for an inspector, at any time between sunrise and sunset on any day during the period for which a certificate may have been granted under section 10, 12 or 14, to examine any boiler at work or not for which boiler such certificate has been granted, in order to ascertain whether such boiler is still in good condition, and whether any cause exists for revoking the said certificate.

(2) It shall be lawful for the inspector to order the working of a boiler to be stopped only when that shall in his opinion be indispensable for the proper examination of the boiler. The reasons for any such stoppage shall be given in writing by the inspector to the owner, on the owner's demand, concurrently with the order for stoppage, and the owner shall thereon become subject to the provisions of section 9. When inspector may order working of a boiler to be stopped.

16. If at any time during the period for which a certificate has been granted under section 10, 12 or 14, any structural alteration or renewal is made in any part of the boiler to which such certificate relates, it shall be the duty of the owner of such boiler to give notice in writing of such alteration to the person hereinafter specified either before the same is commenced or whilst it is in progress. Owner to report alterations to portions of boiler to which the certificate relates.

17. (1) It shall be the duty of every owner or person in charge of a boiler to report in writing to the person hereinafter specified, within twelve hours of its occurrence, every accident to the boiler or to any apparatus attached thereto which is calculated to weaken the strength of such boiler or to render it liable to explode. Occurrence of accident to boiler to be reported.

(2) Every such report shall contain a true description of the nature of the accident and of the injury thereby caused, sufficient to enable the person to whom it is made to judge of the gravity of the accident. Contents of the report.

(3) The owner or person in charge of the boiler shall be bound to answer truly, to the best of his knowledge and ability, every question put to him in writing by the person to whom the report is made as to the cause, nature and extent of the accident. Owner to answer questions truly.

(4) Elsewhere than in the city of Bombay, the Collector of the district, or any person whom the said Collector generally or specially authorises in this behalf, may, after visiting the scene of any such accident as aforesaid, by an order in writing direct that the use of the boiler be discontinued until it has been examined and certified as fit for use by an inspector, and the owner and person in charge of the boiler shall be bound to obey such order. Collector may order use of boiler to be discontinued.

(5) The persons to whom reports under this section and notices under the last preceding section shall be made or given are, in the city of Bombay, the inspector, and, elsewhere, the Collector of the district or such person as the said Collector appoints to receive the same. Persons to whom reports and notices are to be given.

18. (1) The owner of any boiler who shall have obtained a certificate therefor, shall, at all reasonable times during the period for which such certificate is in force, be bound to produce the same when called upon to do so by Owner to produce certificate when called upon.

any Presidency Magistrate in the city of Bombay, or by the Collector of the district elsewhere, or by any person generally or specially authorised in writing by such Magistrate or Collector to demand its production.

(*2*) A person who becomes owner of a boiler during the time for which a certificate therefor operates shall be entitled to receive the certificate from the preceding owner and shall be subject to the provisions of sub-section (*1*).

Engineers' Certificates.

Examinations of engineers to be held.

19. Examinations shall be held periodically, by a board of examiners, at such places and on such dates as Government shall determine, of persons who desire to qualify as engineers for the management of boilers.

Board of examiners to be appointed by Government.

20. The Governor in Council shall from time to time nominate competent persons to be members of the board of examiners for the said examinations. In no case shall an inspector appointed under this Act be a member of such board.

Certificate of competency to be granted to successful candidate.

21. (*1*) Every applicant for examination who is declared by the said board to have passed an examination shall receive a certificate of competency in accordance with the board's decision as to his qualifications, which shall be signed by the members of the board.

Certificates to be of different classes.

(*2*) Certificates of competency may be of different classes, and a certificate of each class shall qualify the holder thereof to manage or be in charge of a boiler of such capacity or kind as the Governor in Council may from time to time direct in the rules to be framed under section 35.

Certain other certificates to be available in proof of qualifications.

22. (*1*) If any engineer is in possession of a certificate of competency granted by any competent authority in British India, or in the United Kingdom, or in any British Colony, he shall be entitled to receive a certificate of competency as aforesaid, without undergoing examination.

(*2*) Government may from time to time determine what authorities shall be deemed competent for the purpose of this section.

(*3*) The certificate granted under this section shall be of such class as the board of examiners, or a majority of the members of the said board, on a consideration of the nature of the certificate in the engineer's possession, shall determine.

Grant of certificates of service.

23. (*1*) The board may, in the case of any person who satisfies it that he has served for a period of not less than three years prior to the date on which this Act comes into force as engineer in actual charge and management of a boiler, and that he is possessed of competent practical skill for such work, grant to him a certificate of service to the effect that he is qualified to the like extent

as the holder of a certificate of competency of any class which the board in such certificate of service specifies.

(*2*) Such certificate of service shall be signed as in the case of a certificate of competency.

(*3*) A certificate of service so granted shall have the same effect as a certificate of competency granted under this Act.

Withdrawal or suspension of certificate.

24. (*1*) If by means of any inquiry conducted under the provisions of this Act or of the rules framed thereunder it shall be established to the satisfaction of the Governor in Council that any engineer possessing a certificate of competency granted under section 21 or 22 or a certificate of service granted under section 23 is incompetent, or is addicted to drunkenness, or has been guilty of any serious misconduct or negligence, the Governor in Council may cancel such certificate, or suspend the same for such time as he shall deem fit.

Holder to surrender certificate pending inquiry.

(*2*) The holder of such certificate shall, on demand by the persons charged with the inquiry, forthwith place in the hands of such persons his certificate to abide the result of such inquiry.

Failure to surrender certificate may be notified.

(*3*) When any holder of a certificate shall have been called on to deposit the same under sub-section (*2*), or when any inquiry into his conduct shall have been directed by Government, if such holder shall fail to deposit his certificate, or shall withdraw beyond the limits of the Presidency of Bombay, Government may notify such failure or withdrawal by notification giving a statement of the circumstances so far as known.

Record of certificate to be kept.

25. A duplicate of every certificate of competency or service granted under this Act shall be kept and recorded in such manner as the Governor in Council shall direct; and all orders made under the last preceding section for cancelling or suspending any certificate shall be from time to time entered on the record containing such duplicates.

Duplicate of certificate to be given.

26. Whenever any engineer proves to the satisfaction of the Governor in Council that he has, without fault on his part, lost or been deprived of any certificate granted to him under this Act, a duplicate of the certificate to which by the record so kept as aforesaid he appears to be entitled shall be furnished to him, which shall have for all purposes the same validity as the original certificate.

Who is to be deemed a fit and proper person to manage a boiler.

27. No person who does not possess a certificate of competency or service granted under section 21, 22, 23 or 26 shall be deemed a fit and proper person to manage or be in charge of a boiler; and no holder of any such certificate shall be deemed a fit and proper person to manage or be in charge of any

boiler except to the extent of his qualification indicated by his said certificate.

Penalties.

28. Any owner of a boiler who—

For failing to give notice of alteration;

(*a*) fails to give notice, as required by section 16, of any structural alteration or renewal thereof,

for refusing to produce certificate;

(*b*) refuses or neglects to produce the certificate which he has obtained therefor, when duly calledupon so to do under section 18,

and every owner or person in charge of a boiler who—

for failing to report accident to a boiler;

(*c*) fails to report [*], as required by section 17, any accident of the kind mentioned in the section,

shall, for every such omission, refusal or neglect, be punished with fine which may extend to one hundred rupees.

29. (*1*) The owner of any boiler who shall—

for using boiler without certificate;

(*a*) use the same or permit it to be used, without a certificate duly obtained and in force in respect thereof,

for working boiler without having a competent engineer in charge,

(*b*) work the same or permit the same to be worked at any time, except whilst he has in his employ as engineer in direct and immediate management and charge thereof, a person who is a fit and proper person to manage and be in charge of the same,

and any such owner or any person who shall—

or at a higher pressure than allowed by certificate;

(*c*) work the same, or permit it to be worked, in contravention of an order for discontinuing its use, made under sub-section (*4*) of section 17, or at a higher pressure than that allowed by any certificate duly obtained and in force in respect thereof,

shall be punished with fine which may extend to one hundred rupees for every day or part of a day that he shall so use or work the said boiler, or permit the same to be so used or worked.

(*2*) And if the said owner or person shall continue so to use or work the boiler, or to permit the same to be so used or worked after such fine shall have been imposed, he shall be held to have committed a separate offence, and shall be punished with a further fine which may extend to one hundred rupees for

[*] Words repealed by Act XVI of 1895 are omitted.

each day or part of a day after the first conviction during which the offence is continued, and in like manner after each subsequent conviction.

for tampering with registry number of a boiler ;

30. (*1*) Whoever removes, alters, defaces, renders invisible or otherwise tampers with the registry number marked on a boiler shall, for every such act, be punished with fine which may extend to five hundred rupees.

for fraudulently marking a registry number on a boiler ;

(*2*) And whoever fraudulently marks upon a boiler a registry number which has not been duly allotted to it under this Act shall be punished with imprisonment which may extend to two years, or with fine, or with both.

for refusing or omitting to deposit his certificate in accordance with section 24 (*2*).

31. A person who, being bound to deposit his certificate under the provisions of section 24 (*2*), shall refuse or omit to do so, shall be punished with fine which may extend to five hundred rupees.

Cognizance of offences against this Act.

32. All offences against this Act shall be cognizable in the city of Bombay by a Presidency Magistrate, and elsewhere by a Magistrate of the first class.

Charges within what period to be brought.

33. No charge shall be brought against any person of any offence punishable under this Act, except within six months after the commission of the offence, nor shall any such charge be brought except with the sanction or under the direction of the Collector of the place or district in which such offence is alleged to have been committed.

When penalties are to be enforced under section 30.

34. No proceeding shall be taken to enforce the penalties mentioned in section 30 in any district or place in which the Bombay Boiler Inspection Act, 1887[a], is not now in force, before such day after this Act shall have been extended to such district or place as Government shall fix by notification in the Bombay Government Gazette.

Bom. III of 1887.

Miscellaneous.

Rules to be framed.

35. Government may from time to time frame rules not inconsistent with this Act, for—

(*a*) settling the duties and emoluments of commissions, inspectors and examiners appointed under this Act, and regulating the control to be exercised by Collectors over inspectors;

[a] Bom. Act III of 1887 is repealed by s. 2 of this Act.

(*b*) fixing the fees to be levied for inspection of boilers under sections 8 and 17 at such rates not exceeding those prescribed in Schedule B as Government thinks fit;

(*c*) regulating the submission of appeals under section 12, the reference and cognizance of matters under section 14, the procedure to be followed in the hearing of the appeals and inquiry into the matters aforesaid, and the conduct of the examinations to be held under section 19, and providing for interpretation in the case of candidates unacquainted with English;

(*d*) prescribing the qualifications to be required of candidates at the said examinations, the fees to be paid by them, the forms of the certificates to be granted to them, and the capacity or kind of boiler of which each such certificate shall qualify the holder thereof to be in charge;

(*e*) providing for inquiry into an allegation of drunkenness, misconduct or negligence on the part of the holder of a certificate of competence or service;

(*f*) generally for giving effect to the provisions of this Act.

All rules so framed may from time to time be varied, or cancelled, by Government, and shall be published in the Bombay Government Gazette, and when so published shall, until cancelled or varied, have the force of law.

Disposal of fees, etc.

36. All fees, costs and penalties levied under this Act shall be disposed of in such manner as Government shall from time to time direct.

Certain provisions of this Act may be applied to prime-movers.

37. (*1*) The Governor in Council may, from time to time by notification—

(*a*) apply so much of this Act as relates to the taking out and grant of certificates for and the inspection of boilers to prime-movers generally, or to prime-movers of any particular class in any place or district in which this Act is at the time in force, and

(*b*) cancel any such notification.

(*2*) During such period as any notification under the above clause (*a*) is in force in any place or district, the provisions of this Act thereby made applicable to prime-movers shall be read and understood in such place or district as if the word "boiler" included the words "prime-mover" wherever used therein.